

Attorney Docket No.: DEX-0113
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REMARKS

At the outset, Applicants thank Examiner Yaen for the courtesy of a telephone interview conducted on July 16, 2003. Claims 1-6 are pending in the instant application. Claims 1-6 have been rejected. Claims 2, 3, 4, and 5 have been canceled without prejudice. Claims 1 and 6 have been amended. New claim 7 has been added. Support for these amendments is provided in the specification at page 3, lines 26-31, page 6, lines 10-17, and pages 19-24. Thus, no new matter has been added by these amendments. Reconsideration is respectfully requested in light of these amendments and the following remarks.

The rejection of claims 1-6 under 35 U.S.C. § 112, first paragraph has been maintained. While the Examiner has acknowledged the specification to be enabling for a method of detecting and diagnosing lung cancer via detection of a LSG polynucleotide, the Examiner suggests that the specification is not enabling for methods of diagnosing metastases of lung cancer, staging lung cancer and/or monitoring metastases or changes in stage of lung cancer. While Applicants respectfully disagree with the Examiner regarding enablement of methods for monitoring and staging lung

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cancer and metastases thereof, in an earnest effort to advance the prosecution and as agreed to during the July 16th interview, Applicants have amended claim 1 and 6 to be drawn to a method for detecting lung cancer via measuring levels of a polynucleotide comprising SEQ ID NO: 2, 3, 4, 5 or 6. Applicants have added new claim 7 drawn specifically to detecting the polynucleotide comprising SEQ ID NO:3. Support for these amendments is provided in the specification at page 3, lines 26-31, page 6, lines 10-17 and pages 19-24. Further, Applicants have canceled claims 2-5 without prejudice.

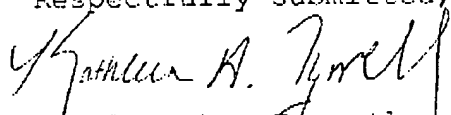
With respect to the question regarding a definition of "bodily fluids" raised by the Examiner during the July 16th Interview, Applicants respectfully direct the Examiner to page 12, lines 8-15, of the specification wherein bodily fluids is defined.

Applicants believe the above-described amendments overcome all rejections of the pending claims and that the foregoing comprises a full and complete response to the Office Action of record and issues raised during the telephone interview of July 16, 2003.

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Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted,



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